

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

9 FRANK ZAMFINO,)
10 Petitioner,) No. C05-139-JCC
11 v.)
12 JAMES SPALDING,) ORDER DENYING
13 Respondent.) HABEAS CORPUS
14) PETITION

The Court, having reviewed the Petition for Writ of Habeas Corpus, Respondent's Answer, the Report and Recommendation of the Honorable Monica J. Benton, United States Magistrate Judge, and the remaining record, finds and Orders as follows:

- (1) The Court adopts the Report and Recommendation;
- (2) Petitioner's Petition for Writ of Habeas Corpus (Dkt. #1) is DENIED; and this matter is DISMISSED with prejudice;
- (3) The Clerk is directed to send copies of this Order to counsel for each party and to the Honorable Monica J. Benton.

DATED this 14th day of August, 2006.


John C. Coughenour
UNITED STATES DISTRICT JUDGE